

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

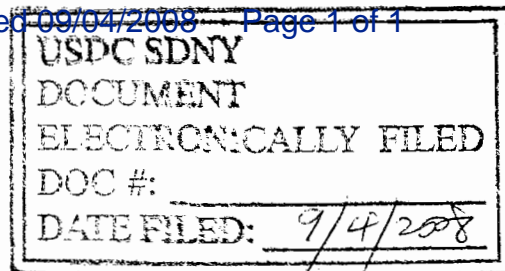
-----X  
MTS LOGISTICS, INC.,

Plaintiff,

-against-

BLUE GLOBAL ENTERPRISES, INC.,  
Defendant.

-----X  
DEBORAH A. BATTS, United States District Judge.



08 Civ. 5488 (DAB)  
ORDER TO SHOW CAUSE

The Court's records indicate that Defendant Blue Global Enterprises, Inc. was served with the Complaint in this matter on June 24, 2008. To date, Defendant has failed to respond to the Complaint. Despite Defendant's default, Plaintiff has failed to prosecute this action.

Accordingly, if Plaintiff fails either TO SHOW CAUSE by affidavit or to move for Default Judgment against Defendant by October 6, 2008, this case shall be dismissed, with prejudice, for failure to prosecute. See Lyell Theatre Corp. v. Loews Corp., 682 F.2d 37, 42 (2d Cir. 1982) ("[T]he authority of a federal trial court to dismiss a plaintiff's action with prejudice because of his failure to prosecute cannot seriously be doubted." (quoting Link v. Wabash R.R. Co., 370 U.S. 626, 629 (1962))).

SO ORDERED.

Dated: New York, New York  
September 4, 2008

A handwritten signature in cursive script that reads "Deborah A. Batts".

Deborah A. Batts  
United States District Judge